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2014 FEB 28 PM 2: 04

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY _____

9 *Attorney for Plaintiff*
10 XOCHITL ARAMBURO

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 XOCHITL ARAMBURO, an
15 individual,

16 Plaintiff,

17 v.

18 PREMIUM RECEIVABLES, LLC,
19 and DOES 1 through 10,

20 Defendants.

Case No.

SACV14-00301-CJC-(ANx)

COMPLAINT FOR DAMAGES

DEMAND FOR JURY TRIAL

21
22 Plaintiff, XOCHITL ARAMBURO, for her Complaint against Defendants and each
23 of them, alleges as follows:

24 **INTRODUCTION**

25 1. The United States Congress has found abundant evidence of the use
26 of abusive, deceptive, and unfair debt collection practices by many debt collectors,
27 and has determined that abusive debt collection practices contribute to the number
28 of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions

1 of individual privacy. Congress wrote the Fair Debt Collection Practices Act, 15
 2 U.S.C. 1692 et seq (hereinafter "FDCPA"), to eliminate abusive debt collection
 3 practices by debt collectors, to insure that those debt collectors who refrain from
 4 using abusive debt collection practices are not competitively disadvantaged, and to
 5 promote consistent State action to protect consumers against debt collection
 6 abuses.¹

7 2. The California legislature has determined that the banking and credit
 8 system and grantors of credit to consumers are dependent upon the collection of
 9 just and owing debts and that unfair or deceptive collection practices undermine
 10 the public confidence that is essential to the continued functioning of the banking
 11 and credit system and sound extensions of credit to consumers. The Legislature has
 12 further determined that there is a need to ensure that debt collectors exercise this
 13 responsibility with fairness, honesty and due regard for the debtor's rights and that
 14 debt collectors must be prohibited from engaging in unfair or deceptive acts or
 15 practices.²

16 3. XOCHITL ARAMBURO, (hereinafter "Plaintiff"), by Plaintiff's
 17 attorneys, brings this action to challenge the actions of PREMIUM
 18 RECEIVABLES, LLC, (hereinafter "Defendant"), with regard to attempts by
 19 Defendants, debt collectors, to unlawfully and abusively collect an debt allegedly
 20 owed by Plaintiff, and this conduct caused Plaintiff damages.

21 4. For the purposes of this Complaint for Damages, unless otherwise
 22 indicated, "Defendant" includes all agents, employees, officers, members,
 23 directors, heirs, successors, assigns, principals, trustees, sureties, subrogates,
 24 representatives and insurers of Defendant(s) named in this caption.

25 JURISDICTION AND VENUE

26 5. Jurisdiction of this Court arises pursuant to 28 U.S.C. § 1331 and 15

27
 28 ¹ 15 U.S.C. 1692(a)-(e)

² Cal. Civ. Code 1788.1 (a)-(b)

1 U.S.C. § 1692k(d), and 28 U.S.C. § 1367 for supplemental state law claims.

2 6. This action arises out of Defendants' violations of the following: the
3 Rosenthal Fair Debt Collection Practices Act, California Civil Code §§ 1788-
4 1788.32 (RFDCPA), the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et*
5 *seq.*

6 7. Because Defendant does business within the State of California,
7 personal jurisdiction is established.

8 8. Venue is proper pursuant to 28 U.S.C. § 1391.

9 **PARTIES**

10 9. Plaintiff is a natural person who resides in the West Covina, County
11 of Los Angeles, State of California and is obligated or allegedly obligated to pay a
12 debt and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).

13 10. Plaintiff is a natural person from whom a debt collector sought to
14 collect a consumer debt which was due and owing or alleged to be due and owing
15 from Plaintiff and is a "debtor" as that term is defined by California Civil Code §
16 1788.2(h).

17 11. Plaintiff is informed and believes, and thereon alleges, that Defendant
18 is a company operating from the City of Santa Ana, County of Orange, State of
19 California.

20 12. Plaintiff is informed and believes, and thereon alleges, that Defendant
21 conducted business from the City of Santa Ana, County of Orange, State of
22 California.

23 13. Plaintiff is informed and believes, and thereon alleges, that Defendant
24 is a person who uses an instrumentality of interstate commerce or the mails in any
25 business the principal purpose of which is the collection of any debts, or who
26 regularly collects or attempts to collect, directly or indirectly, debts owed or due or
27 asserted to be owed or due another and is a "debt collector" as that term is defined
28 by 15 U.S.C. § 1692a(6).

1 14. Plaintiff is informed and believes, and thereon alleges, that
2 Defendants are not attorneys or counselors at law and are persons who, in the
3 ordinary course of business, regularly, on behalf of themselves or others, engages
4 in debt collection as that term is defined by California Civil Code § 1788.2(b), and
5 are "debt collectors" as that term is defined by California Civil Code § 1788.2(c).

6 15. This case involves money, property or their equivalent, due or owing
7 or alleged to be due or owing from a natural person by reason of a consumer credit
8 transaction. As such, this action arises out of a "consumer debt" and "consumer
9 credit" as those terms are defined by Cal. Civ. Code § 1788.2(f).

10 FACTUAL ALLEGATIONS

11 16. At all times relevant, Plaintiff was an individual residing within the
12 State of California.

13 17. Plaintiff is informed and believes, and thereon alleges, that at all times
14 relevant Defendant conducted business in the State of California.

15 18. On or about December 13, 2013, Plaintiff retained First Source Law
16 on the above referenced account.³

17 19. On or about December 13, 2013, First Source Law sent a Letter of
18 Representation/Power of Attorney to the original creditor in this matter, GE Card
19 Care, via U.S. Mail.

20 20. Sometime before December 2013, Plaintiff allegedly incurred
21 financial obligations to GE Card Care that were money, property, or their
22 equivalent, which is due or owing, or alleged to be due or owing, from a natural
23 person to another person and were therefore "debt(s)" as that term is defined by
24 California Civil Code §1788.2(d), and a "consumer debt" as that term is defined by
25 California Civil Code §1788.2(f).

26 21. These financial obligations were primarily for personal, family or
27 household purposes and are therefore "debt(s)" as that term is defined by 15

28 ³ First Source Law is now known as Higbee & Associates.

1 U.S.C. §1692a(5).

2 22. On February 7, 2014, Defendant, through its agent, Steve D'Angelo,
3 contacted Plaintiff at her place of employment, after calling four times that
4 morning. Plaintiff answered the telephone call and Mr. D'Angelo informed
5 Plaintiff that "Premium Assets" was attempting to collect on a debt.

6 23. This telephone message to Plaintiff was a "communication" as that
7 term is defined by 15 U.S.C. §1692a(2), a "debt collection" as that term is defined
8 by California Civil Code §1788.2(b), and an "initial communication" with Plaintiff
9 consistent with 15 U.S.C. §1692g(a).

10 24. Defendant called Plaintiff again at her place of employment on
11 February 10, 2014 to attempt to collect a debt that Defendant did not verify.

12 25. During the course of the February 10, 2014 conversation, Plaintiff
13 asked if Defendant had been contacted by her counsel. Defendant said he refused
14 to deal with any third parties in this matter.

15 26. These phone calls by Defendant had the natural consequence of
16 harassing, oppressing, or abusing a person in connection with the collection of the
17 alleged debt. As such, Defendant's conduct violated 15 U.S.C. §1692d and
18 California Civil Code §1788.11. Because Defendant's actions violated 15 U.S.C.
19 §1692d, Defendant's conduct also violated California Civil Code §1788.17.

20 27. The communication made by Defendant to Plaintiff was a false,
21 deceptive, or misleading representation or means in connection with the collection
22 of the alleged debt. As such, this action by Defendant violated 15 U.S.C. §§1692e,
23 1692e(2)(A), and 1692e(10). Because Defendant's actions violated 15 U.S.C.
24 §§1692e, 1692e(2)(A), and 1692e(10), Defendant also violated California Civil
25 Code §1788.17.

26 28. This communication by Defendant failed to comply with the notice
27 required by 15 U.S.C. §1692g(a)(3) because it attempted to limit the rights
28 available to Plaintiff in a manner that creates a contradiction that would confuse

1 the least sophisticated consumer into disregarding his or her rights pursuant to the
2 validation notice required in 15 U.S.C. §1692g.

3 29. Defendant failed within 5 days after this initial communication made
4 on February 7, 2014 with Plaintiff, to provide written notification containing a
5 statement that unless the consumer, within thirty days after the receipt of the
6 notice, disputes the validity of the debt, or any portion thereof, the debt will be
7 assumed to be valid by the debtor. Defendant failed within five days after the
8 initial communication with Plaintiff to provide written notification of a statement
9 that if the consumer notifies the debt collector in writing within the thirty-day
10 period that the debt, or any portion thereof, is disputed, the debt collector will
11 obtain verification of the debt or a copy of a judgment against the consumer and a
12 copy of such verification or judgment will be mailed to the consumer with the
13 name and address of the original creditor, thereby violating 15 U.S.C. §§1692e,
14 1692e(10), 1692f, and 1692g. Because of this omission, Defendant also violated
15 California Civil Code §1788.17.

16 30. Instead of sending the verification notice to Plaintiff, Defendant, as a
17 debt collector, filed a small claims lawsuit against Plaintiff on February 10, 2014,
18 less than five days after the initial contact, allowing no time for Plaintiff to request
19 verification of the debt or authenticate who even owned the debt.

20 31. Plaintiff was served with the small claims complaint on February 14,
21 2014, which is a violation of the California Superior Court Rules.

22 32. In February 2014, Plaintiff verified that the owner of the GE Credit
23 Care debt was Z & S Consulting as of August 2013.

24 33. Plaintiff made numerous calls to Defendant, attempting to verify the
25 name of the owner of the debt as well as the correct name of the debt collector in
26 order to ascertain the validity of the alleged debt but was unable to gain
27 cooperation. Several times, the persons answering the phones refused to give any
28 information at all.

34. Defendant used various names to collect the debt and failed to identify who owned the debt, thereby violating 15 U.S.C. §1692(e)14. Because of this violation, Defendant also violated California Civil Code § 1788.11(b).

FIRST CAUSE OF ACTION

Violations of the Fair Debt Collection Practices Act 15 U.S.C. § 1692 *et seq.*

35. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

36. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 *et seq.*

37. As a result of each and every Defendant's violations of the FDCPA, Plaintiff is entitled to any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

SECOND CAUSE OF ACTION

Violations of the Rosenthal Fair Debt Collection Practices Act §§ 1788-1788.32 (RFDCPA)

38. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

39. The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the RFDCPA.

40. As a result of Defendant's violations of the RFDCPA, Plaintiff is entitled to any actual damages pursuant to California Civil Code § 1788.30(a); statutory damages for a knowing or willful violation in the amount up to \$1,000.00 pursuant to California Civil Code § 1788.30(b); and reasonable attorney's fees and costs pursuant to California Civil Code § 1788.30(c) from Defendant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant
for:

Fair Debt Collection Practices Act

- an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) in an amount to be adduced at trial, from Defendant;
- an award of statutory damages of \$1,000.00, pursuant to 15 U.S.C. § 1692k(a)(2)(A), from Defendant;
- an award of costs of litigation and reasonable attorney's fees, pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

Rosenthal Fair Debt Collection Practices Act

- an award of actual damages pursuant to California Civil Code § 1788.30(a) in an amount to be adduced at trial, from Defendant;
- an award of statutory damages of \$1,000.00, pursuant to California Civil Code § 1788.30(b), from Defendant;
- an award of costs of litigation and reasonable attorney's fees, pursuant to California Civil Code § 1788.30(c), from Defendant.

Respectfully submitted this 27th day of February, 2014,

By: 

Julianne Vandergrift
HIGBEE & ASSOCIATES
Attorney for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff, XOCHITL ARAMBURO, hereby demands a trial by jury in the
above matter.

Respectfully submitted this 27th day of February, 2014,

By: 

Julianne Vandergrift
HIGBEE & ASSOCIATES
Attorney for Plaintiff

COPY
CIVIL COVER SHEET(a) PLAINTIFFS (Check box if you are representing yourself ☐)DEFENDANTS (Check box if you are representing yourself ☐)

JOCHITLARAMBURO, an individual

PREMIUM RECEIVABLES, LLC., and DOES 1 through 10,

(b) County of Residence of First Listed Plaintiff Los AngelesCounty of Residence of First Listed Defendant Orange County

(EXCEPT IN U.S. PLAINTIFF CASES)

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Matthew K. Higbee, Esq. SBN 241380 Julianne Vandergrift, Esq. SBN 285899
HIGBEE & ASSOCIATES
504 Brookhollow Dr., Suite 112 Santa Ana, CA 92705 Phone: (714) 617-8385
Fax: (714) 617-8511 Email: jvandergrift@higbeeassociates.com

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

I. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant
- ☐ 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

J. ORIGIN (Place an X in one box only.)

- ☒ 1. Original Proceeding
- ☐ 2. Removed from State Court
- ☐ 3. Remanded from Appellate Court
- ☐ 4. Reinstated or Reopened
- ☐ 5. Transferred from Another District (Specify)
- ☐ 6. Multi-District Litigation

K. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)LASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No☒ MONEY DEMANDED IN COMPLAINT: \$ 2000

I. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

for Damages

II. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detained	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	TORTS PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY:	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	REAL PROPERTY	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

OR OFFICE USE ONLY:

Case Number: **SACV14-00301 CJC (ANx)**

V-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

III. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
	<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	A Los Angeles County	B Ventura, Santa Barbara, or San Luis Obispo Counties	C Orange County	D Riverside or San Bernardino Counties	E Outside the Central District of California	F Other
Indicate the location in which a majority of plaintiffs reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input checked="" type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	SOUTHERN DIVISION

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☐ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☐ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)
- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

C. SIGNATURE OF ATTORNEY
OR SELF-REPRESENTED LITIGANT: _____

DATE: 2/27/14

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed out is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Cormac J. Carney and the assigned Magistrate Judge is Arthur Nakazato.

The case number on all documents filed with the Court should read as follows:

SACV14-00301 CJC (ANx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

February 28, 2014

Date

By Lori Wagers
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012

☒ Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701

☐ Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.